

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – DECEMBER 16, 2009 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD

1. CALL TO ORDER.

Mayor Stearley called the meeting to order at 6:30 P.M. All Councilors were present. Also present was Ms. Mahalick, A.I.C.P., Administrator, Ms. Estefanie Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as presented. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

4. APPROVAL OF CONSENT AGENDA.

- A. Regular Council Meeting Minutes of December 2, 2009.
- B. Edgewood Police Department Report for the month of November, 2009.
- C. Acknowledge Receipt of the Library Report & Board Minutes for November, 2009.
- D. Acknowledge Receipt of the Parks & Recreation Report for the month of November, 2009.
- E. Acknowledge Receipt of the Parks & Recreation Advisory Board Minutes:
 - 1. April 23, October 22, and November 19, 2009.
 - 2. Minutes of August 27 and September 24, 2009 - No quorum present.
- F. Acknowledge Receipt of POST Sub-Committee Meeting Minutes.
 - 1. September 28, October 26, and November 23, 2009.
- G. Recycle Sub-Committee Meeting Minutes.
 - 1. September 29, October 20, and November 17, 2009 - No quorum present
- H. COLTPAC/Santa Fe County Open Space Sub-Committee Meeting Minutes.
 - 1. August 3, 2009
 - 2. September 14, 2009 – No quorum present.
- I. Things for Kids to Do Sub-Committee Meeting Minutes.
 - 1. November 9, 2009.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda. Councilor Hill seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

5. MATTERS FROM THE MAYOR.

- A. Appointment of Parks & Recreation Advisory Board Alternate – Mr. Steve Ginsberg.
Mayor Stearley introduced Mr. Ginsberg and asked that he be appointed as the Parks & Recreation Advisory Board Alternate Member.
Mr. Holden reviewed Mr. Ginsberg's qualifications.

MOTION: Councilor Simmons made a motion to approve the appointment of Mr. Ginsberg as the Alternate Member for the Parks & Recreation Advisory Board. Councilor Felton seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

B. Appointment of Mr. James Lee to the Energy Committee.
Councilor Abrams discussed Mr. Lee's qualifications. Mr. Lee was not present.

MOTION: Councilor Simmons made a motion to appoint Mr. James Lee to the Energy Committee. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

C. Appointment of the Planning & Zoning Commissioners.
Mayor Stearley informed the Council and Public that the Planning & Zoning Commission was in need of two volunteers and asked them for recommendations.

D. PRC Update – N.M. American Water Rates.
Mayor Stearley provided an update of the N.M. American Water Rate Case for the Council. He read portions of a letter regarding the negotiations that resulted in a 44% increase instead of the 60% that was requested by New Mexico American Water. New rates may be effective April 1, 2010.

6. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons wished everyone a Merry Christmas and a Happy New Year.
Councilor Felton discussed some of the reasons he loves to be a member of the Edgewood community and wished everyone Happy Holidays.

7. MATTERS FROM THE ATTORNEY.

Mr. Rael was not present.

8. PRESENTATION FOR THE C.O.W. AWARDS – Mr. Ken Carter.

Mr. Roger Holden introduced Mr. Ken Carter who will be the Master of Ceremonies for the C.O.W. Awards.

Mr. Carter and "Wally" gave a presentation for the Council and public.

Mr. Holden asked for nominees for the C.O.W. Awards and gave instructions for filling out the form.

9. MATTERS FROM THE ADMINISTRATOR/PLANNER.

A. Award of Bid for Wastewater Operator.

Mr. Mahalick reviewed this item stating 2 bids were received: Rocking V Water Services Corporation for \$168,000 for 2 years of operation and maintenance and Midwest Environmental Management Services, LCC for \$172,800 for 2 years of operation and maintenance. Rocking V was the low bidder; she has checked their references and received good reports. She added that Mr. Thomas was available to answer questions.

Mayor Stearley stated that Mr. Thomas has been running the system at Wal-Mart and therefore should transition nicely to the Town system.

MOTION: Councilor Felton made a motion to award the Wastewater Operator bid to Rocking V in the amount of \$168,000.00. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

Ms. Mahalick stated the training would begin in 2010 and they were looking to start up clean water testing between January and February of 2010.

Mayor Stearley stated that a ribbon cutting ceremony needed to be scheduled for the Sewer Plant and requested late March or early April so that Senator Bingaman could be present. He asked that Ms. Mahalick work with the Senator's office as well as other delegates and representatives to get this scheduled.

Councilor Felton stated the Stanley Transfer Station was holding a ribbon cutting ceremony is scheduled for this Saturday at 10:00AM.

B. Pursue Access into Section 32.

Ms. Mahalick reviewed this item for the Council and suggested pursuing a JPA with the City of Albuquerque as well as road improvements, then coordinates it with Santa Fe County Trails and the Trail Committee.

Councilor Hill requested a more formal presentation including a map and exactly what they are proposing to do.

C. Approval of Police Officer Hiring Committee.

Ms. Mahalick requested Chief Daniels, a current Officer, Ms. Muller and herself be appointed as the hiring committee for a new police officer.

MOTION: Councilor Felton made a motion to appoint Ms. Mahalick, Chief Daniels, Ms. Muller and an Officer to the interview committee for the police officer position. Councilor Simmons seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

D. Town Policy for Snow Days.

Ms. Mahalick stated a policy is needed to set a standard for staff for the snow days. If the Moriarty-Edgewood School district announces a delay or cancellation the Town staff will follow the same. The Road Department and the Administrator will be available for services. Staff will contact the Administrator if they are unable to report to work when the Town offices are expected to be open with the storm conditions. If weather conditions develop during work hours, the Administrator or Clerk-Treasurer may allow individuals to leave early. Councilor Simmons suggested implementing call forwarding in some of these cases of bad weather.

MOTION: Councilor Hill made a motion to adopt the Town Policy for Snow Days. Councilor Abrams seconded the motion.

Councilor Felton suggested this would be a good year to see if the Policy requires some changes to tighten it up for the future.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

E. Library Hours of Operation – December 26, 2009.

Ms. Mahalick reviewed this item for the Council stating that the Towns Resolution did not include the day after Christmas. She added this would only apply to this year.

MOTION: Councilor Simmons made a motion to approve the Library's closure for Saturday December 26, 2009. Councilor Felton seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

10. PUBLIC COMMENTS. Limit to 2 minutes per person.

(Note: If you plan to testify under Public Hearings, please do not sign up for this topic).

Mr. Mike Turner discussed a book produced by local senior citizens stating he had copies available for \$5.00 each. He then read a poem from the book for the Council and public.

Mr. Bob Steiner referred to newspaper articles and suggested that comments be made through the Town Administrator before going to the press.

Councilor Hill encouraged the press to re-establish a policy of allowing personal attacks to be responded to in the same edition at the time of print.

11. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Ms. Mahalick certified that public notice of this hearing had been posted as required.

A. Amend the Town of Edgewood Personnel Ordinance No. 2003-5, Section 2.28.060 C.1. "The Probationary Period for Certified Officers shall begin on the date of employment and shall continue for 12 months thereafter".

Ms. Mahalick reviewed this item for the Council stating this had come forward at the request of the Chief Daniels and explained how this time frame is too short with officers going to the Academy and training period time with the department.

There were no public comments on this item.

MOTION: Councilor Felton made a motion to approve the amendment of Ordinance No. 2003-5 mandating a 12 month probationary period for all certified police officers beginning on the date of hire. Councilor Simmons seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

12. RESOLUTIONS.

A. Resolution No. 2009-44 – Municipal Bond Resolution.

Ms. Mahalick reviewed this item for the Council stating a pamphlet would be prepared outlining the Bond request for a total of \$4, 200, 000.00. She also discussed some of the criticism from the community. Council entered into discussion regarding support or lack of it from the community and the expense of going forward and then not having it pass or benefit the citizens as well as how much benefit the roads would actually see if it did pass.

Councilor Abrams discussed the fact that it may be more cost effective for residents who live on the rough dirt roads to pay for the bond as opposed to their vehicle repairs if the roads are not improved.

MOTION: Councilor Simmons made a motion to approve Resolution No. 2009-44. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

B. Resolution No. 2009-46 – Open Meeting Resolution.

Ms. Mahalick reviewed this item for the Council describing the changes to be made to Item 5 on notice requirements, Item 11a., the Library meetings to be held the third Thursday of the month and Item 12 lists all the Town meetings for 2010. All meetings for the Town, Planning & Zoning and the Parks & Recreation would be held at the Community Center or the Town Offices. The Library Board meetings will be held at the Library.

The Council discussed the issue of a quorum as well as the Chairing of the subcommittees.

Ms. Mahalick clarified that both of these issues had been addressed.

MOTION: Councilor Hill made a motion to approve Resolution No. 2009-46 with the amendments as discussed. Councilor Abrams seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

C. Resolution No. 2009-47 – Town of Edgewood Holiday Schedule.

Ms. Mahalick presented this item for the Council.

MOTION: Councilor Abrams made a motion to approve Resolution No. 2009-47. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

D. Resolution No. 2009-48 – Renewable Energy District.

Ms. Mahalick reviewed a letter from Mr. Rael the Town attorney for the Council and asked if they had any comments.

Councilor Abrams requested striking the line pertaining to the Energy Over-Site board from the Resolution.

Councilor Hill requested the last two “Where As” paragraphs be removed as well.

MOTION: Councilor Abrams made a motion to approve Resolution No. 2009-48 with the amendments as discussed. Councilor Hill seconded the motion.

Ms. Mahalick asked if the Town would need to adopt a set of building codes for the Residents who participate in this or would those go through the Renewable Energy District for review.

Councilor Hill responded that local government has the right to enhance the state building code to make the standards higher but not lower. He added that the current building code for the jurisdiction would apply.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Councilor Hill requested that staff send an email to the Mayors office and the Council's office in the City of Santa Fe to inform them that the Town has adopted this.

Councilor Abrams requested that staff also send a letter to Senator Peter Wirth who supported legislation, Congressman Heinrich and Lujan's office.

E. Resolution No. 2005-15 – (Vacate Resolution) Agreement with Exempt Employees.

Ms. Mahalick reviewed this item for the Council and asked that the Town abide by the State and Federal FLSA standards. Exempt positions are the Administrator, Clerk-Treasurer and the Police Chief.

MOTION: Councilor Felton made a motion to vacate Resolution No. 2005-15. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

13. FINANCE & ADMINISTRATION.

A. Approval of Town Bills.

MOTION: Councilor Simmons made a motion to approve the Town Bills. Councilor Felton seconded the motion.

Mayor Stearley discussed the Bill for Dennis Engineering and asked if this would be reimbursed.

Ms. Mahalick responded that a portion of this had been submitted for reimbursement. She added that there is a bid package for the remainder of the work.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

B. Approval of Financial Report for the month of November, 2009.

Ms. Mahalick reviewed this item for the Council and discussed the Impact Fee amounts and that all the items are in their proper categories.

MOTION: Councilor Abrams made a motion to approve the Town Bills. Councilor Simmons seconded the motion.

Mayor Stearley asked about the negative balance for the Capital Projects fund.

Ms. Mahalick stated she was waiting for project closeout before applying for reimbursement.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

14. ANNOUNCEMENT & CALENDAR REVIEW.

A. Regular Council Meeting – January 6, 2010.

B. Regular Council Meeting – January 20, 2010.

NOTE: The Town Hall offices will be closed on Friday, December 25, 2009 for Christmas Holiday.

Ms. Mahalick invited the Council to the staff potluck scheduled for Wednesday, December 23, 2009 at noon.

15. FUTURE AGENDA ITEMS.

A. Agenda of January 6, 2010.

1. Public Hearing – Zone Map Amendment.
2. Annual Audit Review for Fiscal Year 2008-09.

B. Agenda of January 20, 2010.

1. Campbell Ranch Appeal.

C. Agenda of February 3, 2010.

1. Mid-Year Budget Review.
2. Solid Waste Discussion and Cost.

Mayor Stearley reviewed these items for the Council.

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting.

VOTE: All Councilors voted aye. The motion carried.

Mayor Stearley adjourned the meeting at 8:00 P.M.

PASSED, APPROVED and ADOPTED this 6th day of JANUARY, 2010.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer